

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. <u>05-22</u></b>
<b>v.</b>	<b>:</b>	<b>DATE FILED: <u>1-13-05</u></b>
<b>MARK McNEIL</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>JORGE LEONARDO ACOSTA</b>	<b>:</b>	<b>21 U.S.C. § 841(a)(1) (possession with intent to distribute cocaine - 1 count)</b>
		<b>21 U.S.C. § 846 (conspiracy - 1 count)</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about December 10, 2004, at Tredyffrin township, in the Eastern District of Pennsylvania, defendants

**MARK McNEIL**  
**and**  
**JORGE LEONARDO ACOSTA**

knowingly and intentionally possessed with intent to distribute more than five kilograms, that is approximately 6900 grams, of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. On or about December 10, 2004, at Tredyffrin township, in the Eastern District of Pennsylvania and elsewhere, defendants

**MARK McNEIL  
and  
JORGE LEONARDO ACOSTA**

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute more than five kilograms, that is, approximately 6900 grams, of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

**MANNER AND MEANS**

It was a part of the conspiracy that:

1. Mark McNeil was a narcotics broker with multiple sources of supply. McNeil was seeking to provide kilogram quantities of cocaine from one or more of these sources to an individual who was cooperating with the government (hereinafter, the "C.I."), who told McNeil that he wanted to buy approximately ten kilograms.

2. Jorge Acosta obtained multiple kilograms of cocaine for McNeil to sell to the C.I. Acosta transported these kilograms according to arrangements made by McNeil.

**OVERT ACTS**

In furtherance of the conspiracy and to accomplish its object(s), the following overt acts, among others, were committed in the Eastern District of Pennsylvania and elsewhere:

1. On or about October 27, 2004, McNeil told the C.I. that he could provide him with cocaine in amounts ranging from five to ten kilograms at prices ranging from \$19,000 to \$22,000 per kilogram.

2. On or about December 10, 2004, McNeil offered to bring kilograms of cocaine to the C.I. at a barber shop at 932 Upper Gulph Road in Tredyffrin township, Pennsylvania. McNeil planned to meet his source of supply and then have his source of supply follow him to the barber shop with the cocaine.

3. On or about December 10, 2004, McNeil and Acosta arrived, in tandem, at 932 Upper Gulph Road, with McNeil driving an Acura and Acosta driving a Chevrolet.

4. On or about December 10, 2004, McNeil and Acosta presented more than five kilograms of cocaine, that is, 6900 grams of cocaine, which was in the trunk of a Chevrolet, to the C.I. at 932 Upper Gulph Road.

5. On or about December 10, 2004, McNeil and Acosta stood at the trunk of the Chevrolet while the C.I. used scissors to cut into one of the packages of cocaine in the trunk, so as to inspect it.

All in violation of Title 21, United States Code, Section 846.

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**PATRICK L. MEEHAN**  
**UNITED STATES ATTORNEY**